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Attorneys for Defendant  
ViSalus, Inc.

UNITED STATES DISTRICT COURT  
DISTRICT OF OREGON  
PORTLAND DIVISION

LORI WAKEFIELD, individually and  
behalf of all others similarly situated,

Plaintiff,

v.

VISALUS, INC., a Nevada corporation,

Defendant.

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Case No. 3:15-cv-01857-BR

DEFENDANT VISALUS, INC.'S  
UNOPPOSED MOTION TO EXTEND  
TIME TO APPEAR

### **LOCAL RULE 7.1 CERTIFICATION**

Pursuant to Local Rule 7-1, the undersigned certifies that counsel for ViSalus, Inc. ("ViSalus"), conferred with counsel for plaintiff and that plaintiff's counsel does not oppose the extension requested in this motion.

### **MOTION**

In accordance with Federal Rule of Civil Procedure 6(b), ViSalus moves the court for an order granting it an extension of time to December 28, 2015, in which to respond to the complaint, without prejudice to ViSalus's right to file a motion seeking dismissal.

### **MEMORANDUM OF LAW**

Plaintiff filed its complaint on October 1, 2015. Based on a date of service, ViSalus's response to the complaint would be due on October 26, 2015. Miller Nash Graham & Dunn LLP was only recently retained as local counsel.

This is ViSalus's first request for an extension. This motion is not made for purposes of delay. ViSalus does not waive any objections, defenses, motions, responses, or claims it may have in this action by filing this motion, including but not limited to any defenses as to personal jurisdiction, statute of limitations, or otherwise.

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**CONCLUSION**

ViSalus respectfully requests an extension of time to respond to the complaint to December 28, 2015.

DATED this 26th day of October, 2015.

MILLER NASH GRAHAM & DUNN LLP

/s/ Jonathan H. Singer

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I hereby certify that I served the foregoing Defendant ViSalus, Inc.'s Unopposed Motion to Extend Time to Appear on:

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by the following indicated method or methods on the date set forth below:

- ☒ **CM/ECF system transmission.**
- ☐ **E-mail.** As required by Local Rule 5.2, any interrogatories, requests for production, or requests for admission were e-mailed in Word or WordPerfect format, not in PDF, unless otherwise agreed to by the parties.
- ☐ **Facsimile communication device.**
- ☐ **First-class mail, postage prepaid.**
- ☐ **Hand-delivery.**
- ☐ **Overnight courier, delivery prepaid.**

DATED this 26th day of October, 2015.

/s/ Jonathan H. Singer

Jonathan H. Singer, OSB No. 105048

*Of Attorneys for Defendant ViSalus, Inc.*